

Unlocking development in London Planning and Regeneration Committee





LONDONASSEMBLY

Planning and Regeneration Committee



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The Planning and Regeneration Committee examines and reports on matters relating to spatial development, planning and regeneration in London and leads scrutiny of the Mayor's Spatial Development Strategy (the London Plan). The Committee also has lead responsibility for scrutiny of the Old Oak and Park Royal Development Corporation.

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Foreword



Andrew Boff AM

Chairman of the Planning and Regeneration Committee

For the past two decades, the number of new homes built in London per year has never risen above the current London Plan target of 52,200 homes per year. Indeed, over the past five years the average has been 32,300 per year.

Yet the effects of the housing crisis are getting worse, with long-term impact on the city and the people who live in it. Homelessness rates in London are higher than anywhere else in England. Council waiting lists for social housing are lengthening, costing London boroughs millions of pounds per month in temporary accommodation costs. Home ownership is becoming increasingly out of reach for many Londoners, especially younger Londoners.

The new government has set a target for 1.5 million homes to be built across the country by 2030. This includes a target of 88,000 homes per year for London. This would clearly be a step change, especially when the existing target is nowhere near being met.

This report identifies steps the Mayor must take if he is to be successful in helping to end the housing crisis in London, and to unlock the development of more high quality homes in appropriate places. Without bold actions, the Mayor won't be successful, and the crisis will worsen further.

We call on the Mayor to bring forward workable solutions to the wider development sector. In particular, we have heard about the complexity of the current London Plan, and how this is contributing to a slowdown in development. We want to see the GLA address this as part of its review of the current London Plan, with greater clarity as to which policies are essential and where there can be more flexibility.

We are also calling for greater support to develop on brownfield land, particularly land owned by the GLA and TfL, and better access for smaller builders to sites and finance. And more help is needed for affordable housing providers, who are facing additional demands on their finances, restricting their ability to build the social and affordable homes we need, or to purchase homes built by developers as part of their Section 106 planning obligations.

We hope the Mayor will follow our recommendations, and take the opportunity in the next London Plan to unlock development in London.

Executive summary

London is in the midst of a housing crisis. It is a crisis that is pricing people out of the prospect of homeownership – leaving people waiting years for a council house – and ultimately making a growing number of Londoners homeless. Part of the solution to the crisis is known: London needs more homes, including high-quality social and affordable homes.

Since the Committee launched this investigation, a new Government has been voted in. It has put housebuilding at the centre of its "growth mission" and set an ambitious target of building 1.5 million homes over the next five years. Almost a third of those homes will need to be built in London to meet the most recent assessment of housing needs.

In recent years, a 'perfect storm' of challenges for London's housebuilding sector have manifested, slowing development and further entrenching the housing crisis. In this investigation, we have heard about issues around:

- access to finance, particularly for small and medium size (SME) housebuilders and nonprofit developers
- access to land to develop
- rising build costs
- availability of contractors

Of particular concern is the more recent, sharp drop in demand for Section 106 units from registered providers, who cannot afford to take more housing on. This is not only putting a brake on development of new houses, but also leaving completed affordable homes unlet. In some cases, for years.

Through this investigation, the Committee also heard where the next London Plan could prioritise housing and encourage this development, notwithstanding the over 300,000 homes with planning permission that are yet to be developed. We conclude that the London Plan could have a clearer purpose driving towards the goal of housebuilding. It could also be simplified by improving prioritisation and identifying where there could be flexibility.

The Committee recognises that for maximum impact, changes to the London Plan need to happen within a broader context of changes to the economy and wider planning system.

Without action now to address these issues, the Mayor and the new Government are doomed to fail in addressing this crisis. We make nine recommendations, which are set out below:



Recommendations

Recommendation 1

The GLA should work with Government to bring forward a set of actions to support the SME development sector in London meet their demand for better finance and larger sites. This should include options for how SME builders can access suitable sites for development on land owned by the GLA, and its functional bodies.

Recommendation 2

The GLA should publicly report on progress on the Housing Delivery Taskforce recommendations, by end of July 2025.

Recommendation 3

The GLA should establish its own London version of the Homes England section 106 clearing service.

Recommendation 4

The next London Plan should establish a clear policy hierarchy that prioritises housing as the key land use across appropriate undeveloped sites in London. This should be adopted as an overarching policy. It should be explicit that housing development with sufficient affordable housing, of a sustainable scale, appropriate character and with sufficient infrastructure, can tip the planning balance in favour of approving applications.

Recommendation 5

The next London Plan should be simpler. As part of the Planning for London Programme, the GLA should work with Londoners to carry out a first principles in/out evaluation of each policy in the current London Plan. The GLA should consider how this could inform the London Plan to provide greater clarity to local authorities on what is a 'must' and where and how they can be flexible.

Recommendation 6

The GLA should maximise opportunities for affordable housing on GLA and TfL brownfield land by offering enhanced incentives for brownfield development – such as expanding grants specifically to help offset remediation and infrastructure costs, while not compromising the health of existing and future residents on and around the site.

Recommendation 7

The GLA should conduct a thorough review of existing brownfield registers to ensure the data is still valid, sites are being maximised, and identifying new brownfield sites that can be included on the register.

Recommendation 8

The Mayor should work with Boroughs to identify sites where there is interest for establishing new MDCs. In taking any decisions to designate MDCs, the GLA should consult with all relevant London Boroughs and local communities.

Recommendation 9

The GLA should publish data on how the threshold approach is operating for referable and nonreferable applications. As a minimum, this should include: (i) the proportion of planning applications in London that have proceeded via the fast-track route; and (ii) the overall proportion and number of affordable homes delivered every year since 2021. This data should be shared with the Committee by September 2025. This data should be uploaded to the London Data Store and updated annually.

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London's housing crisis

Affordability, long waiting lists for social housing, high costs for private rentals, and a growing number of homeless people; at all ends of the housing market, London is a city in crisis.

Over the years various organisations have considered the issue of low development rates in London, identifying longstanding challenges such as land availability, Government investment, and macroeconomic conditions.¹ Yet, London's housing crisis has worsened, with long-term effects for the city and the people who live in it:

- In 2024, London was the region with the largest number of people sleeping rough in England.²
- In 2024, there were 336,366 Londoners on council waiting lists for social housing.³
- In 2023, London Councils reported that one in 50 Londoners were homeless and living in temporary accommodation, and boroughs were collectively spending around £60m per month on temporary accommodation costs.⁴
- The number of additional new homes completed each year in London has fallen from a high of 45,680 in 2019/20 to 32,160 in 2023/24.⁵

All the while, the solutions to the housing crisis have been known; and a major part of those solutions is that London needs more homes, including high-quality, social and affordable homes.

The Committee launched this investigation before the general election in July 2024. Since then, the new Government has put housebuilding at the centre of its "growth mission", in which it has set an ambitious target of building 1.5 million homes over the next five years.⁶ It has also published revisions to the National Planning Policy Framework (NPPF). These seek to find ways to "achieve sustainable growth in the planning system", and identify further land for development. They introduce a new concept of the 'grey belt': "poor quality and ugly areas" on parts of the green belt (i.e. protected land).⁷

¹ Savills, <u>Unlocking development in the capital: how many homes could be built on London's publicly-owned land?</u>, July 2023; Centre for London, <u>Unlocking London's housing market: how we could transform housing in the capital?</u>, July 2024; BusinessLDN, <u>City Hall Developer Has Potential To Boost Housing Delivery Across London</u>, July 2024.

² MHCLG, <u>Rough sleeping annual snapshot: autumn 2024</u>, February 2025

³ See table 600 in MHCLG, <u>Live tables on rents, lettings and tenancies</u> [accessed 17 February 2025]

⁴ London Councils, <u>One in 50 Londoners are now homeless and living in temporary accommodation</u>, August 2023 ⁵ See Table 118 <u>Table 118: annual net additional dwellings and components</u>, <u>England and the regions</u>". [accessed 26 February 2025]

⁶ HM Government, <u>Plan for Change: Milestones for mission-led Government</u>, December 2024

⁷ Gov.uk, National Planning Policy Framework, December 2024

Should the Government be successful in meeting its housebuilding target, a significant proportion of those homes need to be built here in London. In the most recent assessment of housing need, it was calculated that London should be building 87,992 homes per year.⁸ Yet for the past two decades, the number of new homes built has never risen above 52,200 (see **figure 1** below). At the same time, over 300,000 homes have been granted planning permission in London, but have not been built out.⁹

Over the course of this investigation, we have examined what it will take for the Mayor and the Government to succeed in tackling this issue. In view of the Committee's remit, this report is focussed primarily on the role of a new London Plan in unlocking development in London.

During this investigation, the Committee has identified several areas where the next London Plan could prioritise housing and encourage development. The Committee recognises that for maximum impact, changes to the London Plan need to happen within a broader context of changes to the economy and wider planning system.

London Plan

The London Plan is the strategic planning document for Greater London. It is the Mayor's responsibility to create the London Plan, which must be reviewed every five years. The last London Plan was published in 2021, and the GLA is currently working on a new London Plan.¹⁰

Our investigation

In July-September 2024, the London Assembly Planning and Regeneration Committee carried out an investigation: 'Unlocking Development in London'. This investigation examined:

- the challenges that developers face in constructing high quality homes;
- what alterations could be made to the London Plan to help speed up delivery of housing developments and targets;
- the Government's review of the London Plan, the Mayor's response and the experience of the sector;
- how commitments in the Mayor's manifesto to unlock development opportunity (Land Assembly Zones and Mayoral Development Corporations(MDCs)) could aid with meeting housing targets.

⁸ See <u>HC Deb [Building Homes] 12 Dec 2024</u> and MHCLG, <u>Planning overhaul to reach 1.5million homes</u>, 12 December 2024

⁹ Sadiq Khan: New London Growth Plan to return London to pre-global financial crash rates of growth, 9 Jan 2025

¹⁰ <u>Planning for London Programme Consultation</u>, [accessed 2 January 2025]

As part of the investigation the Committee ran a Call for Evidence; visited a development site in west London; and held two formal evidence sessions with key stakeholders. (See details of this Committee activity in the Annex of this report.)

Development in London

The majority of homes constructed in London are built by the private sector – housebuilders, commercial developers and custom and self-builders.¹¹ In recent years, housebuilding in London has slowed for both private developers and housing associations. Local authorities are the only part of the sector to have increased their delivery.

How much housing does London need?

Housing need is driven by factors such as population growth, household size, economic conditions, and affordability. As populations increase and more households are formed, the demand for housing rises. There also tends to be higher demand in areas with strong job markets. As demand pushes up prices, the need for provision of affordable housing increases.¹²

Estimates for London's housing needs can vary:

- The GLA's 2017 London Strategic Housing Market Assessment found that between 2016 and 2041, London will need **66,000 new homes a year**, of which around 65 per cent should be affordable to fully meet its housing needs.¹³
- The current London Plan, published in March 2021, sets a target of 52,000 homes a year for the next ten years, of which 50 percent need to be "genuinely affordable".¹⁴
- Under the Government's latest method for calculating housing need, the figure for London is **87,992 homes per year**.¹⁵

Figure 1 below shows trends in net supply of new housing since 2006-07. The London Plan target of 52,200 homes, (which was set from 2019-20 to 2028-29), has not been met in any of the years between 2019-20 and 2022-23.

¹¹ **NB:** There are limits to this data: the type of developer does not always determine the property's final use. For instance, homes constructed by private enterprises may end up being rented out in the social housing sector, while social housing providers might build homes intended for the private market.

¹² House of Commons Library, <u>Tackling the under-supply of housing in England</u>, 19 May 2023

¹³ GLA, <u>The 2017 London Strategic Housing Market Assessment: Part of the London Plan evidence base</u>, November 2017

¹⁴ GLA, <u>The London Plan 2021</u>, March 2021

¹⁵ See <u>HC Deb [Building Homes] 12 Dec 2024</u> and MHCLG, <u>Planning overhaul to reach 1.5million homes</u>, 12 December 2024





Why has development slowed?

During this investigation, the Committee heard that recent years have brought a 'perfect storm' of challenges for London's housebuilding sector, slowing development and further entrenching its housing crisis.

Figure 2 below shows the net residential planning approvals in London since 2004.

¹⁶ Source: Scrutiny Team using data from DLUHC, <u>Live tables on housing supply: net additional dwellings</u>, Table 118, November 2023





Access to finance

We heard of particular challenges for SME housebuilders accessing finance. Capital investment is critical for construction firms to deliver new housing. However, there has been less readily available finance for housing developers since the 2008 financial crisis.¹⁸

Jeremy Gray, Head of Policy and Public Affairs at the Federation of Master Builders (FMB), told the Committee that a survey of FMB members found that in London, access to finance is the most significant barrier to development.¹⁹ The Committee heard that this was compounded by certain assumptions made about SMEs – such as they must only develop small sites, or flat grant rates – squeezes the sector and adds cost. Bernadette Marjoram, Board Member for Meridian Home Starts, told the Committee:

"We have a capacity to do more, but the presumption is we get small sites. What that does, it disproportionately impacts us financially because our costs can be very similar to large development. Therefore, there are issues there around how we are treated."²⁰

The Ministry of Housing, Communities and Local Government (MHCLG) noted the concerns of the SME sector. Joanna Averley, Chief Planner at MHCLG, told the Committee, "As we know, some of the risks that SMEs carry through the planning process mean that there is a high bar to

¹⁷ Greater London Authority, <u>Residential approvals dashboard</u>, accessed 11 March 2025

¹⁸ House of Commons Library, <u>Tackling the under-supply of housing in England</u>, May 2023

¹⁹ London Assembly Planning and Regeneration Committee, Unlocking development in London, 9 July 2024, <u>Panel</u> <u>1 Transcript</u>.

²⁰ London Assembly Planning and Regeneration Committee, Unlocking development in London, 9 July 2024, <u>Panel 1 Transcript</u>.

entry in terms of the costs and uncertainty." ²¹ Cathy Francis, Director of New Towns, Infrastructure and Housing Delivery at MHCLG, told us the SME sector would be an area of focus for Government:

"We want to bring forward a specific set of actions to support the SME market as we both look ahead to the new London Plan but also look more generally at what we can do to address the need to significantly increase housing supply in the capital."²²

We welcome the Government's commitment to support SME housebuilders, and await further detail of what this will entail. After the Committee had finished taking evidence the Government confirmed it would extend the existing Home Building Fund beyond March 2025. This fund offers loans and other support to SMEs to access the finance and credit they need to develop sites.²³

Recommendation 1

The GLA should work with Government to bring forward a set of actions to support the SME development sector in London meet their demand for better finance and larger sites. This should include options for how SME builders can access suitable sites for development on land owned by the GLA, and its functional bodies.

Macroeconomic challenges and Section 106

Larger housebuilders reported less challenge in terms of their own finance, Syreeta Robinson-Gayle, Head of Affordable Housing at Barratt London, outlined that delivery from larger developers is comparatively stable.²⁴ She also stated that financial challenges elsewhere in the sector are placing a 'brake' on development. Various guests highlighted issues including:

- problems accessing land to develop
- rising build costs
- availability of contractors
- a sharp drop in demand for Section 106 units

Many of these are longstanding challenges that have been considered before, including by the GLA. The London Housing Delivery Taskforce was jointly convened with London Councils in August 2023, to address house building in London "grinding to halt under perfect storm of pressures". The Taskforce published its findings and 29 recommendations in October 2023. These recommendations focussed on viability, Government policy, addressing delays in the planning system, and unlocking land supply.²⁵

²¹ London Assembly Planning and Regeneration Committee, Unlocking development in London, 9 September 2024, <u>Transcript</u>

²² London Assembly Planning and Regeneration Committee, Unlocking development in London, 9 September 2024, <u>Transcript</u>

²³ MHCLG, <u>Government financial boost for small and medium housebuilders</u>, 13 Dec 2024

²⁴ London Assembly Planning and Regeneration Committee, Unlocking development in London, 9 July 2024, Panel <u>1 Transcript</u>.

²⁵ GLA, London Housing Delivery Taskforce – Joint position statement, October 2023

We can see there is much to agree with in the Taskforce's report, yet there have been no updates published since it concluded its work in October 2023. When questioned on this matter during the investigation, the Deputy Mayor for Planning and the Fire Service, Jules Pipe CBE was unable to provide an update to the Committee, describing that work as "outside my remit."²⁶ The Deputy Mayor for Housing was not at our meeting. We are therefore left unsure of the status of the London Housing Delivery Taskforce recommendations. There is a risk that the report's findings and the issues addressed could fall between two Deputy Mayoral portfolios. We feel it is important there is an update published imminently.

Recommendation 2

The GLA should publicly report on progress on the Housing Delivery Taskforce recommendations, by end of July 2025.

The drop in demand from Registered Providers for section 106 acquisitions is a newer issue and poses a considerable obstacle to delivering more homes – and, crucially, more affordable homes. This is a sector-wide issue, for which we have heard London is on the frontline. In a recent survey of 30 of the top 50 developing housing associations, just over half (53 per cent) said they were either no longer intending to acquire Section 106 homes. And in London, 100 per cent of respondents reported that financial capacity had affected ability to buy Section 106 stock.

Section 106 homes

Section 106 homes are built as part of developers' planning agreements. This is an agreement between the developer and the council that the developer will provide either 'affordable' housing or infrastructure as part of the development.

Section 106 homes are built by the developer and sold to housing associations (also known as 'Registered Providers') who then manage the properties.

This has been a key mechanism by which affordable housing has been built. Nationally, 44 per cent of all affordable homes delivered in 2023-24 were funded through section 106 agreements. In 2022-23, it was 47 per cent.²⁷

We have heard through this investigation that, if there are no Registered Providers, able to buy section 106 homes, the whole development itself can be delayed. Syreeta Robinson-Gayle gave the example of a Barratt scheme in Southwark, where it took Barratt two years find a housing

²⁶ London Assembly Planning and Regeneration Committee, Unlocking development in London, 9 September 2024, <u>Transcript</u>

²⁷ MHCLG, Affordable housing supply in England: 2023 to 2024, 21 Nov 2024

association to buy 58 Section 106 social rented homes. This delayed the development itself, and the letting of much needed social rented homes.²⁸

BusinessLDN, a representative body for businesses in London, listed Section 106 as a key challenge in its written submission to the Committee. It suggested that the GLA could purchase Section 106 affordably and manage them to provide long-term housing for working Londoners.²⁹ G15 – a group of London's largest housing associations – told the Committee one solution could be for the GLA to purchase Section 106 affordably and manage them to provide long-term housing for working long-term housing for working Londoners.³⁰

Jules Pipe CBE highlighted to the Committee that the Mayor has been undertaking several initiatives to address the issues with section 106 acquisition, but agreed that more needed to be done on a sector-wide basis.³¹

Since the Committee's investigation finished, the Government has launched the section 106 affordable housing clearing service. This service aims to help facilitate and accelerate the sale of uncontracted and unsold affordable homes across England – excluding London, where the GLA has responsibility for affordable housing delivery.³² At the end of January 2025, the Government announced that nearly 300 organisations from across England had signed up to the service.³³

The Committee agrees with the Deputy Mayor's assessment that more needs to happen on a sector-wide basis. Registered Providers are under financial stress, and need finances and guarantees to be able to invest confidently. Developers also have a part to play. They need to ensure their properties are suitable for section 106 purchase by a Registered Provider, with particular regard to affordability and property standards. The GLA needs to work with the sector to bring forward the solutions demanded. We think the Homes England clearing service provides a model for how the GLA should start this work. But, we would expect other sector-wide solutions to follow.

Recommendation 3

The GLA should establish its own London version of the Homes England section 106 clearing service

²⁸ London Assembly Planning and Regeneration Committee, Unlocking development in London, 9 July 2024, <u>Panel 1 Transcript</u>.

²⁹ BusinessLDN Ref.003

³⁰ G15 Ref No.004

³¹ London Assembly Planning and Regeneration Committee, Unlocking development in London, 9 September 2024, <u>Transcript</u>

³² Homes England, <u>The Section 106 Affordable Housing Clearing Service</u>, December 2024

³³ Homes England, <u>Section 106 affordable housing: call for next level support to new clearing service as</u> registrations near 300 in first 50 days, 28 January 2025

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Capacity within the wider planning system

Throughout the Committee's investigation, we repeatedly heard of delays and a lack of responsiveness from local authorities and the GLA, alongside challenges arising from differing planning requirements across the 33 London boroughs. In BusinessLDN's submission to the Committee, it stated:

"One of the most significant challenges that developers face is a lack of efficiency and reliability within the planning system. From July 2023 to September 2023, only 21 per cent of major applications were decided within the statutory 13-week time limit, whilst the median determination period was 28 weeks."³⁴

Figure 3: Percentage of district planning authority decisions made within 8 weeks or within agreed time (October 2022-September 2024)³⁵

	London	England
Major Decisions	92.7%	89.5%
Minor Decisions	88.4%	88.7%

The London Borough of Waltham Forest noted that cuts to local authority budgets had "forced a shift to protecting statutory services at the expense of discretionary but still important services, such as regeneration and development."³⁶

Just before the Committee's first meeting in July 2024, the Chancellor announced funding for an additional 300 planning officers.³⁷ Yet, James Wickham, then a Partner at planning consultancy Gerald Eve (he has since left to join Newmark), highlighted that by his calculations this amounted to just 0.9 planning officers per local authority.³⁸

James Wickham also told the Committee about work being led by the GLA "to develop and improve the availability or a centralised resource that local authorities can draw on to support their planning delivery."³⁹

The Committee welcomes the announcement of funding to support an increase in planning officers nationally. It is clear this will not make a significant difference in London. There is an opportunity for the GLA to address the challenges where they exist across London boroughs

³⁴ BusinessLDN Ref No.003

³⁵ MHCLG, <u>Live tables on planning application statistics Tables P151 and P153</u>, [accessed 11 March 2025]

³⁶ London Borough of Waltham Forest Ref No. 005

³⁷ HM Treasury, Chancellor unveils a new era for economic growth, 8 July 2024

³⁸ London Assembly Planning and Regeneration Committee, Unlocking development in London, 9 July 2024, <u>Panel</u> <u>1 Transcript</u>.

³⁹ London Assembly Planning and Regeneration Committee, Unlocking development in London, 9 July 2024, <u>Panel 1 Transcript</u>.

The London Plan

The London Plan is the strategic planning document for Greater London. It is hugely influential in shaping how London will develop and grow. In January 2025, the Mayor of London told the Assembly:

"I am [...] committed to developing an ambitious new London Plan that will prioritise housing delivery and economic growth, with the aim of meeting the government's housing need figure of 88,000 new homes a year.⁴⁰

It is essential that part of this comes from developers building out some of the over 300,000 homes that have already been granted planning permission. As a Committee, we are frustrated that – as Michael Ball highlighted to us – you can have sites left undeveloped for years:

"A number of times I have seen developers get their permission and literally, on the last day, three blokes turn up with a mixer and dig a hole. That is it. Then it is forever, and it stymies the site. There is a site behind the National Theatre where that is what they did. It got permission in 2008, they dug a hole in 2012 and it is still vacant today. It has been empty since the 1980s."⁴¹

We are pleased that the Government recognised this problem. Chief Planner at MHCLG, Joanna Averley, told the Committee:

"The Government definitely recognises that it is OK to get permission, but if you have something akin to 300,000 existing permissions that are not being built out, then that presents more than a lost opportunity. At the moment, we are focusing in on making sure that we understand what the systemic issues are that come forward, particularly on large sites – to Lisa's points – and those that are more complex. We have recently launched a call for sites, asking both developers and local authorities to provide information about the sites that they are seeing coming through the system but not into development. As the Government, we can start to work with colleagues across Whitehall, with the GLA and other partners and with the Mayoral combined authorities on what we can do to solve some of these issues."

We await with keen interest the results of this work. Our focus in this investigation has been on how the London Plan can unlock development primarily through granting of permissions for

⁴⁰ MQ 2025/0053 [Housing and the Economy] 16 January 2025

⁴¹ London Assembly Planning and Regeneration Committee, Unlocking development in London, 9 July 2024, <u>Panel</u> <u>2 Transcript</u>.

⁴² London Assembly Planning and Regeneration Committee, Unlocking development in London, 9 September 2024, <u>Transcript</u>

new sites. Not for the development of those sites already granted permission, which is no small task.

In this investigation, we sought views on how the London Plan could support this aim. In some ways, this investigation follows on from the independent expert review on the London Plan commissioned by the then Secretary of State, Michael Gove, in December 2023 and published in February 2024 (see box).

Following that review's publication, the then Secretary of State directed the Mayor to conduct a review of London Plan policies on industrial land and Opportunity Area.⁴³ This direction was subsequently withdrawn by the Deputy Prime Minister Angela Rayner in September 2024⁴⁴, after the Committee's final meeting of this investigation.

London Plan Review: A brownfield presumption

On 19 December 2023, the Secretary of State for Levelling Up, Housing and Communities appointed of a panel of expert advisers – Christopher Katkowski KC, Cllr James Jamieson, Dr Paul Monaghan and Dr Wei Yang – to consider any changes to the London Plan that might facilitate housing delivery on brownfield sites in London.

The key findings of the review were that the London Plan was overly complicated and missing a policy mechanism designed to boost housing supply to the level outlined in the London Plan strategy.

The expert panel considered that an overarching presumption in favour of residential development on brownfield land could lead to circa.11, 500 homes being built each year.⁴⁵ The panel recommended adding the following wording to the London Plan to support brownfield development:

The Presumption

For qualifying local planning authorities, there is a strong presumption in favour of granting planning permission for proposals which comprise or include residential development on Brownfield (Previously developed) land.

Qualifying local planning authorities are those where the net housing completions since 2019/20 have fallen below the cumulative annualised total of their Table 4.1 ten-year target.

The presumption does not apply to sites which are in the Green Belt or Metropolitan Open Land or a Strategic Industrial Location.

⁴³ MHCLG, <u>Further Government interventions in London housing market</u>, 18 March 2024

⁴⁴ MHCLG, <u>Deputy Prime Minister withdraws London Plan review</u>, 30 September 2024

⁴⁵ Christopher Katkowski KC, Cllr James Jamieson, Dr Paul Monaghan, Dr Wei Yang, <u>London Plan Review: Report</u> of Expert Advisers, January 2024

In the case of proposals which would cause harm to the significance of a designated heritage asset, the presumption only applies where any such harm is clearly outweighed by the public benefits of the proposals.

Where it applies, the presumption means granting planning permission as quickly as possible unless the benefits of doing so would be significantly and demonstrably outweighed by any adverse impacts which would arise from not according with policies in this plan.

In applying the presumption substantial weight is to be given to the benefits of delivering homes.⁴⁶

Greater clarity and purpose in the London Plan

Throughout this investigation, the Committee has heard the need for greater clarity and simplification in the London Plan. James Wickham told the Committee that over the past ten years complexity in the planning system has become a bigger issue for developers and investors.⁴⁷ As noted by, the London Plan review team, the London Plan comes in at over 500 pages and contains 113 policies, all of which include several elements.⁴⁸

We heard from our guests that they wanted clarity from the London Plan on what is a 'should', what is a 'must', and where there are flexibilities. G15's submission to the Committee described the design standards in the London Plan as being too prescriptive. Further, RHP, a social housing provider, provided a succinct response to the question of what key updates are needed to the London Plan, stating "simplify it".⁴⁹

Jayshree Astley, Lecturer in Town Planning at London South Bank University, told the Committee she felt that some of the requirements needed to be adopted flexibly. She pointed to the example of biodiversity net gain and how those requirements impose higher costs that are harder for SME builders to absorb.⁵⁰

Michael Ball, Coordinator, Just Space, also called for greater clarity in where there could be flexibility in the London Plan. He told the Committee:

"It is complex but it is sophisticated. It is complex for the right reasons. The Good Growth strategies that underpin it are really solid stuff, but it has far too much where there is discretion, and it needs to get more clarity and more certainty. It needs more

⁴⁶ London Plan Review: Report of Expert Advisers, January 2024

⁴⁷ London Assembly Planning and Regeneration Committee, Unlocking development in London, 9 July 2024, <u>Panel 1 Transcript</u>.

⁴⁸ London Plan Review: Report of Expert Advisers, January 2024

⁴⁹ <u>RHP Ref No.006</u>

⁵⁰ London Assembly Planning and Regeneration Committee, Unlocking development in London, 9 July 2024, <u>Panel</u> <u>2 Transcript.</u>

clarity about priorities; can we dump child play space when we want to put this housing up, or the trees that you were just talking about, or the dual aspect?""⁵¹

The Deputy Mayor responded to the question of simplification directly in our meeting. He outlined that in practice it is difficult to remove detail from the London Plan:

Many [regulations] are there to stop the lowest common denominator taking advantage, and that is what makes plans and, particularly things like the London Plan, so detailed. It is not there for the good actors; it is there for the bad actors who are going to try to avoid responsibilities. I always say to people, "Please point to me something in the Plan that you would happily blue pencil and stand up in front of a group of Londoners and say, 'Actually, that is too good for you lot. We can do without it and make them more cheap and cheerful'. No one ever really comes up with anything.⁵²

The Deputy Mayor's challenge to those calling for simplification is important, and we do not take it lightly. At the same time, we have heard that more and more is being loaded onto the planning system. BusinessLDN highlighted to the Committee the ever-increasing technical demands in the planning system, and how this is contributing to delays.⁵³ James Wickham asked: "Is the planning system the best way to ensure that outcome [ensuring buildings are safe and energy efficient etc.] or do we need a question about what is the planning system for and what is it not for?"⁵⁴

The Committee also heard that there may be an opportunity for prioritising housing development (instead of, for example, shops or warehouses) in the next London Plan. In fact, housing developer Berkeley Group told the Committee that some of the London Plan policies and design guidance conflict with the objective of building more homes, and more affordable homes.⁵⁵

Lord Jamieson OBE, one of the expert advisers on the review was a guest at the Committee's second meeting. Revisiting the findings of the London Plan Review, he told the Committee that "As we went through it [the London Plan], there were possibly only one or two lines that were actually about making it easier to deliver housing." He said:

"How high is your priority for delivering more houses, and what are you prepared to compromise in order to deliver that? I am not going to answer that question, but that is a very serious question that you need to have in London because until you prioritise

⁵¹ London Assembly Planning and Regeneration Committee, Unlocking development in London, 9 July 2024, Panel <u>2 Transcript.</u>

⁵² London Assembly Planning and Regeneration Committee, Unlocking development in London, 9 September 2024, <u>Transcript</u>

⁵³ BusinessLDN Ref No. 003

⁵⁴ London Assembly Planning and Regeneration Committee, Unlocking development in London, 9 July 2024, <u>Panel 1 Transcript</u>.

⁵⁵ Berkeley Group Ref No. 002

housing delivery, you are always going to have a shortfall of housing in London. It has got worse over the last ten years, not better."⁵⁶

Social Housing Gateway, a for-profit provider of social housing, summarised the issue:

"The London Plan needs to improve its shared vision for housing growth, a clearer and more incentivised process for developing affordable housing across London, a pan London type approach that can help simplify the process; in line with local area needs and requirements."⁵⁷

Bernadette Marjoram countered that the sector really is already committed to delivering more housing. She told us:

"There are most certainly planning issues. However, I think across the housing field and all those different segmentations there needs to be a reflection about how committed they are to delivering housing. There are always reasons why things cannot progress, and we can be sympathetic to that. However, the overriding imperative is to deliver housing, particularly in London."⁵⁸

The Committee is clear that the London Plan needs a clearer statement on the priority that it gives to building housing. The current London Plan is underpinned by the concept of 'good growth'. The London Plan defines good growth as "growth that is socially and economically inclusive and environmentally sustainable". There is no corresponding imperative to deliver more homes. Building on the good growth policies of the previous Plan, a more ambitious approach is needed to unlock land for housing, streamline planning processes, and ensure developments contribute to inclusive, well-connected communities.

This cannot be achieved simply by a blanket removal of policies; the Committee agrees with the Deputy Mayor that the London Plan cannot allow a race to the bottom on standards, just to get homes built. That would simply save up the problem for future generations. Yet, several guests noted that the London Plan is, at over 500 pages, too long and too complex.

Recommendation 4

The next London Plan should establish a clear policy hierarchy that prioritises housing as the key land use across appropriate undeveloped sites in London. This should be adopted as an overarching policy. It should be explicit that housing development with sufficient affordable housing, of a sustainable scale, appropriate character and with sufficient infrastructure, can tip the planning balance in favour of approving applications.

⁵⁶ London Assembly Planning and Regeneration Committee, Unlocking development in London, 9 September 2024, Transcript

⁵⁷ Social Housing Gateway Ref No. 007

⁵⁸ London Assembly Planning and Regeneration Committee, Unlocking development in London, 9 July 2024, <u>Panel 1 Transcript</u>.

Recommendation 5

The next London Plan should be simpler. As part of the Planning for London Programme, the GLA should work with Londoners to carry out a first principles in/out evaluation of each policy in the current London Plan. The GLA should consider how this could inform the London Plan to provide greater clarity to local authorities on what is a 'must' and where and how they can be flexible.

Brownfield land

The London Plan expert panel supported the addition of a new brownfield presumption policy in the London Plan. This, argued the panel, could deliver around 11,500 homes each year.⁵⁹ This was taken up at a national level by the previous Government⁶⁰ and the new Government has now released a paper on Brownfield Passports.⁶¹

During our investigation, we heard support for a presumption in favour of brownfield land to deliver new homes. G15's submission to the Committee stated:

"A brownfield assumption approach is in line with the current consultation on changes to the National Planning Policy Framework (NPPF) and could potentially help to streamline the planning process by making it more efficient. This could lead to more underutilized land being regenerated, particularly where land is well connected to transport infrastructure. This could make brownfield sites more attractive and provide greater certainty for developers."⁶²

We heard however, that it would only make a small 'dent' in terms of overall housing need. Jeremy Gray, outlined that a brownfield presumption alone will not be enough to fix London's housing crisis:

"[T]here are not enough brownfield sites in London to fulfil the housing need, therefore it will help a little bit. It is 300,000 could be fulfilled on brownfield, but there is housing need of about 1.8 million. It will dent a very large piece of housing market but will not sort the issue." 63

The Committee also heard about the difficulties associated with developing brownfield land. G15's submission to the Committee detailed the many challenges already identified in this report in relation to planning delays, new regulations and lack of contractors are further exacerbated in terms of brownfield sites.⁶⁴ In addition, G15 explained that brownfield sites may

⁵⁹ London Plan Review: Report of Expert Advisers, January 2024

⁶⁰ MHCLG, <u>Build on brownfield now, Gove tells underperforming councils</u>, February 2024

⁶¹ MHCLG, <u>New 'brownfield passports' to seize the growth opportunities of urban areas</u>, September 2024

⁶² G15 Ref No. 004

⁶³ London Assembly Planning and Regeneration Committee, Unlocking development in London, 9 July 2024, <u>Panel</u> <u>1 Transcript</u>.

⁶⁴ <u>G15 Ref No. 004</u>

have very complex histories and that its members encounter difficulties "persuading leaseholders to relinquish their property to facilitate regeneration of the wider site".⁶⁵

G15 proposed a variety of solutions to help tackle these issues, such as enhanced incentives for brownfield development e.g., expanding grants and low interest loans specifically to help offset remediation and infrastructure costs; revisiting the fast-track route; simplified planning zones; and better collaborative working and community engagement.⁶⁶

Recommendation 6

The GLA should maximise opportunities for affordable housing on GLA and TfL brownfield land by offering enhanced incentives for brownfield development – such as expanding grants specifically to help offset remediation and infrastructure costs, while not compromising the health of existing and future residents on and around the site.

Recommendation 7

The GLA should conduct a thorough review of existing brownfield registers to ensure the data is still valid, sites are being maximised, and identifying new brownfield sites that can be included on the register.

Grey belt

During the Committee's investigation, the Government launched a consultation on reforms to the NPPF. The Government has now published the new NPPF, which introduces the concept of the 'grey belt' the concept of the 'grey belt' – "poor quality and ugly areas" on parts of the green belt (i.e., protected land).⁶⁷

In evidence submitted to the Committee (before the Government consultation had closed) we heard that there was support to explore all possible opportunities to increase housing supply, including by looking at the grey belt.⁶⁸ However, we also heard from BusinessLDN that "It is unclear what this means for London's Metropolitan Open Land, which should also be reviewed to identify areas suitable for development."⁶⁹

In our September meeting, the Deputy Mayor told the Committee that the GLA was watching the developments on grey belt with interest. He was also clear that the Mayor would not be supportive of grey belt development that brings forward:

⁶⁵ <u>G15 Ref No.004</u>

⁶⁶ G15 Ref No.004

⁶⁷ MHCLG, National Planning Policy Framework, December 2024

⁶⁸ G15 Ref No.004

⁶⁹ BusinessLDN Ref No.003

"A bunch of low-rise, car-dependent, unsustainable homes. That is losing space, and I am sorry if that upsets the, "We do not care if it is affordable, just get some houses built even if they are five-bedroom homes with five cars on the driveway outside". That is actually not the Mayor's agenda. The Mayor wants affordable homes and to optimise sites, and to optimise sites that means transport and public transport so that they can be served properly."⁷⁰

In December 2024, in response to a Mayor's Question, Sir Sadiq Khan set out work ongoing across London already to map potential sites on the greenbelt suitable for development:

"Many boroughs have already undertaken green belt reviews as part of their local plan development and this will help identify parcels of land that do not strongly contribute to the relevant green belt purposes. As part of the Land4LDN programme, green belt sites have been submitted through the call for sites and boroughs are sharing other local assessments and information, all of which will help inform my officers understanding of grey belt potential. Further work will be required to inform my next London Plan, including both a green belt review and identifying previously developed land, and we will await the details of funding the government will be making available for undertaking green belt reviews."⁷¹

Presently, there is a lack of clarity as to the scale and definition of grey belt sites and the feasibility of developing them. Accordingly, the Planning and Regeneration Committee reiterates this Assembly's calls for the Government to review and provide clarity on how the proposed 'grey belt' designation will be defined.⁷²

Mayoral Development Corporations

An MDC is a statutory body created to support the regeneration of a defined area. There are two MDCs in London. One is the London Legacy Development Corporation, established in April 2012 to use the opportunity of the London 2012 Olympic and Paralympic Games to regenerate east London. The other is the Old Oak and Park Royal Development Corporation, established in April 2015 to use the opportunity of HS2 and the Elizabeth Line to regenerate the Old Oak area.⁷³

During this investigation, we heard support for MDCs and their ability to bring about housing. There was demand for more MDCs and an outline of potential MDC areas in a new London Plan. Joanne Drew, Co-Chair of London Councils' London Housing Directors' Group, stated that MDCs are an impactful tool for increasing housing development and could bring thousands more homes to a locality. She said:

"On Development Corporations, there are areas across London where we have multiple

⁷⁰ London Assembly Planning and Regeneration Committee, Unlocking development in London, 9 September 2024, <u>Transcript</u>

⁷¹ MQ2024/3983 [Greybelt in London] 23 Dec 2024

⁷² London Assembly, Keep the green belt green - Assembly urges, 5 September 2024

⁷³ GLA, <u>Mayoral Development Corporations</u>, [accessed 8 January 2025]

landowners where we could intervene to bring them together to create, support and accelerate development where it has previously not happened organically through the market."⁷⁴

Delivering more MDCs was a Mayoral manifesto commitment.⁷⁵ BusinessLDN's submission to our Call for Evidence outlined what it felt should be next steps:

"We welcome the Mayor's commitment to delivering more Mayoral Development Corporations as part of his 2024 manifesto. Establishing a clear vision and direction for the regeneration of an area helps to incentivise development whilst also creating for local communities. The updated London Plan should map locations for the next generation of Mayoral Development Corporations."⁷⁶

Bernadette Marjoram highlighted that MDCs could offer a pipeline of opportunities for developers who are confronting the challenging financial environment. She told the Committee:

"In our situation, we have a really good and close relationship with the local authority. We are independent and we are a community-benefit society. We are independent of them, but work hand in hand with them. They have provided a pipeline and they have provided funding and a loan. However, that pipeline is drying up and indeed the ability to fund future schemes is also drying up. We have to look at what the other options are. Now, if there are MDCs going to be delivered in the borough, and there are opportunities to do that, then that opens up more channels. However, we do need to identify it and then how we address it."⁷⁷

So far in this 2024-28 Mayoral term, we have only heard about plans for the Oxford Street MDC. The Mayor's press release announcing his plans to create an MDC for Oxford Street did not mention the potential to deliver increased housing supply.⁷⁸ In the rest of this term, we urge the Mayor to consider how he could use his powers to create new MDCs in locations suitable for urban regeneration and in particular the delivery of housing.

Recommendation 8

The Mayor should work with Boroughs to identify sites where there is interest for establishing new MDCs. In taking any decisions to designate MDCs, the GLA should consult with all relevant London Boroughs and local communities.

⁷⁴ London Assembly Planning and Regeneration Committee, Unlocking development in London, 9 July 2024, Panel 2 Transcript.

⁷⁵ Sadiq Khan<u>, A fairer, safer, greener London for everyone</u>, 2024

⁷⁶ BusinessLDN Ref No.003

⁷⁷ London Assembly Planning and Regeneration Committee, Unlocking development in London, 9 July 2024, <u>Panel 1 Transcript</u>.

⁷⁸ GLA, Mayor of London and government announce bold plans to transform Oxford Street, 17 September 2024

Opportunity Areas

The London Plan defines 'Opportunity areas' as key locations with potential for new homes, jobs and infrastructure. The GLA website states that London's opportunity areas "typically have capacity for at least 2,500 new homes or 5,000 new jobs, or a combination of the two".⁷⁹ There were 47 opportunity areas identified in the last London Plan.⁸⁰

BusinessLDN's submission to the Committee explained that the 47 Opportunity Areas "collectively have the capacity to deliver over 460,000 homes by 2041, as identified in the 2017 Strategic Housing Land Availability Assessment (SHLAA)."⁸¹

In the then Secretary of State's letter to the Mayor directing him to carry out a review of the London Plan, he specifically highlighted Opportunity Areas as having under-delivered:

"You identified 47 Opportunity Areas in the London Plan [...] too many have made almost no progress and others appear to have plateaued. This suggests that your Opportunity Areas policy [SD1] is not doing enough to unlock growth and regeneration, including by removing barriers or providing for additional flexibility in these areas."⁸²

We received evidence that echoed this sentiment. Michael Ball told the Committee: "Many Opportunity Areas are not doing what they should be doing. It is a real opportunity."⁸³ He went on to highlight that the breadth and depth of monitoring of Opportunity Areas should also improve.⁸⁴

Since our investigation finished, BusinessLDN has published a report exploring the case for a new town in London. It identifies Opportunity Areas as a potential location for where such a new town should be sited.⁸⁵

The Committee recognises the potential for Opportunity Areas to deliver a portion of the homes that Londoners need. Yet, it is not clear that they are delivering on this potential.

Our investigation has heard that the London Plan could provide a stronger statement in support of housing delivery in Opportunity Areas and enhanced monitoring could help identify where more homes can be built.

This investigation did not seek to identify sites for a new town, nor did it hear evidence on the scope and possibilities. But we note suggestions for bold new reforms such as those put forward by BusinessLDN.

We invite the Mayor to consider how improved monitoring on Opportunity Areas and updated policies in new London Plan could reflect such ideas and speed up development.

⁷⁹ GLA, London's Opportunity Areas, [accessed 8 January 2025]

⁸⁰ GLA, <u>The London Plan 2021</u>

⁸¹ BusinessLDN Ref No. 003

⁸² Letter from Rt. Hon Michael Gove to Sadiq Khan, Mayor of London Re: Further action on The London Plan and London housing, 18 March 2024

⁸³ London Assembly Planning and Regeneration Committee, Unlocking development in London, 9 July 2024, <u>Panel</u> <u>2 Transcript.</u>

⁸⁴ London Assembly Planning and Regeneration Committee, Unlocking development in London, 9 July 2024, <u>Panel</u> <u>2 Transcript.</u>

⁸⁵ BusinessLDN, <u>The case for a new town in London</u>, December 2024

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The threshold approach

The 'threshold approach' was introduced in the last London Plan and was developed by the GLA to incentivise the delivery of affordable housing. It provides a fast track to planning approval for developments that meet 35 per cent threshold for affordable housing, meaning that the developer is not required to provide a viability assessment.⁸⁶

During this investigation, the Committee has heard conflicting views on the success of the threshold approach, and what should happen to it.

We have heard evidence from developers that the threshold approach is not achieving its purpose. Syreeta Robinson-Gayle felt that due to additional planning requirements for large developments, "essentially there is no difference between a fast-track and a non-fast-track application in terms of time."⁸⁷ Berkeley's submission to our call for evidence also said that the current economic conditions meant most sites could not progress through the threshold approach, negating its purpose.⁸⁸

The Committee also heard that the threshold approach is not working to deliver the affordable homes many communities need, and that there exists in an imbalance between planning authorities and developers. Bernadette Marjoram told the Committee:

When it comes to the viability, they [developers] have lots of sound arguments as to why, typically, affordable housing gets squeezed. Local authorities are not necessarily at the same table able to counter some of that. Therefore, the impact of that, whatever the rights and wrongs of that, is that the viability test tends to broadly reduce the affordable [housing] content and then it hits [section] 106 generally."⁸⁹

The GLA asserted to the Committee that the approach had been a success. John Wacher, Strategic Planning Manager – Viability at the GLA ,told the Committee that in referable applications⁹⁰ the average level of affordable housing has doubled from approximately 20 per cent to 40 per cent.⁹¹

These conflicting views have prompted varying demands for the threshold approach to be 'revisited' to ensure it meets its intended purpose. Specifically, developers suggested that consideration should be given to streamlining the process and broadening the criteria to allow

⁸⁶ GLA, <u>The London Plan 2021</u>

⁸⁷ London Assembly Planning and Regeneration Committee, Unlocking development in London, 9 July 2024, <u>Panel</u> <u>Transcript</u>.

⁸⁸ Berkeley Group Ref No. 002

⁸⁹ London Assembly Planning and Regeneration Committee, Unlocking development in London, 9 July 2024, <u>Panel 1 Transcript</u>.

⁹⁰ Referable application is defined as "an application for planning permission of potential strategic importance (PSI)" by the <u>Mayor of London Order 2008</u>.

⁹¹ London Assembly Planning and Regeneration Committee, Unlocking development in London, 9 September 2024, <u>Transcript</u>

more sites to benefit.⁹² The GLA is expected to publish an updated London Plan Guidance on the threshold approach imminently, after consulting on the policy in 2023.

Recommendation 9

The GLA should publish data on how the threshold approach is operating for referable and non-referable applications. As a minimum, this should include: (i) the proportion of planning applications in London that have proceeded via the fast-track route; and (ii) the overall proportion and number of affordable homes delivered every year since 2021. This data should be shared with the Committee by September 2025. This data should be uploaded to the London Data Store and updated annually.

⁹² G15 Ref No. 004

Committee Activity

In July-September 2024, the London Assembly Planning and Regeneration Committee carried out an investigation into 'Unlocking Development in London'. This investigation examined:

- the challenges that developers face in constructing high quality homes;
- what alterations could be made to the London Plan to help speed up delivery of housing developments and targets;
- the Government's review of the London Plan, the Mayor's response and the experience of the sector;
- how commitments in the Mayor's manifesto to unlock development opportunity (Land Assembly Zones and MDCs) could aid with meeting housing targets.

As part of the investigation a site visit was held The Green Quarter, a Berkeley development in Ealing, West London on 11 October 2024.

The Committee also ran a Call for Evidence and held two formal evidence sessions with key stakeholders. Guests and respondents were as follows:

- Committee meeting 1:
 - Syreeta Robinson-Gayle, Head of Affordable Housing, Barratt London
 - James Wickham, Partner, Gerald Eve Eve (since left to join Newmark)
 - o Jeremy Gray, Head of Policy and Public Affairs, Federation of Master Builders
 - o Bernadette Marjoram, Board Member, Meridian Home Starts
 - o Joanne Drew, Co-Chair, London Councils' London Housing Directors' Group
 - o Jayshree Astley Lecturer in Town Planning, London Southbank University
 - Michael Ball, co-ordinator, Just Space
- Committee meeting 2:
 - Jules Pipe CBE, Deputy Mayor, Planning, Regeneration and the Fire Service, GLA
 - Lisa Fairmaner, Head of the London Plan and Strategic Planning, GLA
 - **John Wacher**, Strategic Planning Manager Viability, GLA
 - **Cathy Francis**, Director, New Towns, Infrastructure and Housing Delivery, Ministry of Housing, Communities & Local Government
 - **Joanna Averley,** Chief Planner, Ministry of Housing, Communities & Local Government
 - **Cllr James Jamieson**, expert adviser, Housebuilding in London: London Plan Review, and councillor at Central Bedfordshire Council.
- Call for evidence submissions:
 - o RHP
 - London Borough of Waltham Forest
 - o BusinessLDN
 - Social Housing Gateway
 - o G15
 - o Berkeley Homes

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